

MINUTES
UTAH
PHYSICAL THERAPY
LICENSING BOARD MEETING

August 16, 2011

Room 475– Fourth Floor, 9:00 A.M.
Heber M. Wells Building
Salt Lake City, UT 84111

CONVENED: 9:14 A.M.

ADJOURNED: 11:03 A.M.

Bureau Manager:
Board Secretary:

Richard J. Oborn
Lee Avery

Board Members Present:

Kim Cohee
Lindi Gordon
Edmund L. Sperry
Misha Bradford

Board Members Absent:
DOPL Staff Present:

J. Trent Casper
Connie Call, Compliance Specialist

Guests:

David Strand, PT

TOPICS FOR DISCUSSION:

DECISIONS AND RECOMMENDATIONS:

ADMINISTRATIVE BUSINESS:

Swear in a new Board member, Kim Cohee

Ms. Cohee was sworn in as a new Board member.
Ms. Cohee reviewed her history with the Board.

Elect a new chairperson and vice chairperson

Ms. Bradford nominated Mr. Trent Casper as the new chairperson, seconded by Mr. Sperry. The motion carried unanimously.

Ms. Gordon nominated Mr. Sperry as the vice chair, seconded by Ms. Bradford. The motion carried unanimously.

MINUTES

The Board reviewed the minutes from the May 3, 2011 Board meeting. Ms. Bradford motioned to approve the minutes with changes, seconded by Ms. Cohee. The motion carried unanimously.

Connie Call, Compliance Specialist

#1. Peggy Gurnett is not in compliance with her stipulation. She had a positive UA for ETG, or alcohol. She submitted her employer reports and verification of her 12 step attendance. She failed to obtain pre-authorization from the Division and Board to work for Hand & Orthopedic Rehabilitation Specialists. In a phone call with Mr. Oborn, she was instructed to bring in the request for the meeting and she was reminded that she must always get pre-authorization before beginning new employment.

#2. James Nackos is in compliance with his probation. The Division received all paperwork.

APPOINTMENTS:

Peggy Gurnett probation interview

Ms. Gurnett met with the Board for her probation interview. Ms. Bradford conducted the interview. Ms. Gurnett was advised that she is not in compliance with her stipulation. Ms. Gurnett stated she works at Life Center Physical Therapy and Hand & Orthopedic Rehabilitation Specialists. Ms. Gurnett acknowledged she failed to gain pre-authorization to work for Hand & Orthopedic Rehabilitation Specialists. She works at Life Center Physical Therapy approximately 8-10 hours a week and is on PRN with Hand & Orthopedic Rehabilitation Specialist.

Ms. Gurnett stated she is still trying to obtain a job description for her position at Hand & Orthopedic Rehabilitation Specialists. Ms. Gurnett stated her supervisor will be Mr. Steve Crandall, PT, and she will submit his resume soon. Ms. Gurnett stated Hand & Orthopedic Rehabilitation Specialists is a multiple therapist clinic. Ms. Bradford motioned to close the Board meeting at 9:38 A.M. to discuss the character, professional competence, or physical or mental health of an individual, seconded by Ms. Cohee. The motion carried unanimously. There were no written notes taken. There was no recording made. The Board meeting opened at 9:40 A.M. Ms. Gurnett stated that she has an appointment with her physician to see if there is a physical condition that would cause her to test positive for alcohol. She continues to attend her support groups and is in contact with her sponsor. Ms. Gurnett stated she has not taken continuing education courses since February 2011 and is planning to take additional courses.

Interview with David Strand:

David Strand is Ms. Gurnett's supervisor at Life Center Physical Therapy. Mr. Strand advised the Board that Ms. Gurnett has been an asset to his staff. She is consistently on time, good with patients, they like working with her, and she takes constructive direction positively. Mr. Strand stated he is working to get Ms. Gurnett more hours. Mr. Strand stated he has been a physical therapist for 40 years. Ms. Gordon motioned to close the Board meeting at 9:46 A.M., to discuss the character, professional competence, or physical or mental health of an individual, seconded by Ms. Bradford. The Board meeting opened at 10:06 A.M.

Ms. Bradford motioned to approve a conditional employment at Hand & Orthopedic Rehabilitation Specialists, pending resume, job description, and meeting with her new supervisor, seconded by Ms. Cohee. The motion carried unanimously.

Ms. Bradford motioned to accept David Strand as Ms. Gurnett's supervisor at Life Center Physical Therapy, seconded by Ms. Gordon. The motion carried unanimously. The Board asked to see Ms. Gurnett on December 5, 2011. **Ms. Gurnett is not in compliance with her stipulation.**

James Nackos, probation interview

Mr. Nackos met with the Board for his probation interview. Ms. Gordon conducted the interview. Mr. Nackos advised the Board that he is still working at Provo College. The whole staff is back and they are starting a new class. He attends NA support meetings and is working on steps 3 and 7. Mr. Nackos reviewed the injuries one of his sons sustained after a fall and assured the Board that they have already established that his wife will have control of any pain medications their son may need. Mr. Nackos stated that he enjoys teaching. He might return to clinical practice, but has no immediate plans to return. Mr. Nackos stated he will be attending a national conference to gain his continuing education hours. The Board noted that his approved supervisor is Erin Faraclas. Ms. Gordon motioned to have Mr. Nackos submit his supervisor/employer reports that cover every month between now and November 5th submitted by

November 20th for the Board meeting on December 5, 2011, seconded by Ms. Bradford. The motion carried unanimously. **Mr. Nackos is in compliance with stipulation.**

DISCUSSION ITEMS:

1. Joshua Lee, surrender of temporary PTA license

Mr. Oborn advised the Board that Mr. Lee surrendered his temporary physical therapy assistant license. He was convicted of one count of sexual battery and he pled no contest to this. He cannot reapply for a PTA license in Utah for at least 2 years. If he were to reapply, the Board would review his circumstances and determine if his license should be reinstated with conditions or his application should be denied.

2. Rule change related to PT inactive license

Mr. Oborn reviewed the following proposed language for a rule change to the Physical Therapy Practice Act Rule.

R156-24b-308. Reinstatement of a Physical Therapist or Physical Therapist Assistant License which has Expired Beyond Two Years.

In addition to the requirements established in Section R156-1-308g and in accordance with Subsection 58-1-308(6), an applicant for reinstatement for licensure as a physical therapist or physical therapist assistant, whose license has been expired for two or more years, shall complete one or more of the following upon request of the Division in collaboration with the Board:

(1) meet with the Board to evaluate the applicant's ability to safely and competently practice physical therapy;

(2) pass the NPTE examination of the FSBPT if it is determined that examination or reexamination is necessary to verify the applicant's ability to safely and competently practice; and

(3) establish and carry out a plan of supervision under an approved supervisor which may include up to 4,000 hours of physical therapy training under a limited physical therapist or physical therapist assistant license before qualifying for full reinstatement of the license.

AND

R156-24b-305. Temporary Licensure.

(1) In accordance with Subsection 58-1-303(1), the Division may issue a temporary physical

therapist license to a person who meets all qualifications for licensure as a physical therapist except for the passing of the required examination, if the applicant:

(a) submits a complete application for licensure as a physical therapist except the passing of the NPTE examination;

(b) is a graduate of a CAPTE accredited physical therapy school within two months immediately preceding application for licensure;

(c) submits evidence of having secured employment conditioned upon issuance of the temporary license, and the employment is under the direct, on-site supervision of a physical therapist with an active, non-temporary license; and

(d) has registered to take the required licensure examination.

(2) A temporary physical therapist license issued under Subsection (1) expires the earlier of:

(a) six months from the date of issuance;

(b) the date upon which the Division receives notice from the examination agency that the individual has failed the examination twice; or

(c) the date upon which the Division issues the individual full licensure.

(3) A temporary physical therapist license issued in accordance with this section cannot be renewed or extended.

Ms. Bradford motioned to approve the proposed changes with additional changes, seconded by Ms. Gordon. The motion carried unanimously.

Mr. Oborn will send the Board an email with the Board recommended changes for a final review.

3. Rule changed related to PT temporary license

Mr. Oborn shared a proposed rule change regarding fixed date testing with FSBPT. Mr. Oborn noted that due to the changes in testing at FSBPT the Physical Therapy Practice Act Rule will need to be updated. Ms. Bradford motioned to accept the above proposal with noted changes, seconded by Ms. Gordon. The motion carried unanimously.

Mr. Oborn will send an email with the changes to Board members.

4. Upcoming FSBPT Annual Conference,

Mr. Oborn advised the Board that Ms. Cohee is

September 22-24

available to attend the upcoming FSBPT Annual Conference as the new board member. At the Board meeting on December 6, 2011 she will provide the Board a summary of decision made and information shared at the meeting.

Mr. Oborn shared the following licensing statistics with the Board:

Physical Therapist: 1,613 licenses

Physical Therapist Assistant: 270 licenses

Temporary Physical Therapist Assistant: 203 licenses

Total: 2,086 licenses

NEXT MEETING SCHEDULED:

The next Board meeting is December 5, 2011, at 2:00 P.M.

2012 Board meetings tentatively scheduled:

February 28, May 22, August 21, December 4

ADJOURN:

Motioned to adjourn at: 11:03 A.M.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

December 5, 2011

Date Approved

(ss) J. Trent Casper

Chairperson, Utah Physical Therapy Licensing Board

August 30, 2011

Date Approved

(ss) Richard J. Oborn

Bureau Manager, Division of Occupational & Professional Licensing